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REPORT OF THE SUB-COMMITTEE
ON THE
FOREIGN AFFAIRS TASK FORCE REPORT

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REPORT OF THE SUB-COMMITTEE ON THE
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REPORT

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The following matters are the most important ones raised by this Report to be noted and discussed by the Commission:

1. Main Premises of the Report

The Report is based upon the conception that the conduct of foreign affairs under the Constitution involves both the Executive and Legislative Branches. On the executive side the powers which exist are vested in the President. The State Department acts in this field only and always as the agent of the President. It has no independent powers.

Furthermore the State Department is not the only Department or agency of government which exercises powers that affect or carry out foreign policy. Many, if not all, of the great departments and agencies have powers in this field. Here again the powers should be in the President, and the agencies should act subject to his full control. This is not always the case, as witness the powers of the Maritime Commission over the disposition of ships and the powers which Mr. Ickes had over the disposition of helium gas and which he declined to exercise in accordance with the President's orders.

The Report is further premised upon the belief that in dealing with foreign affairs the function of the State Department as the President's agent is to conduct negotiations with foreign nations - unless the President specifically directs that they be conducted elsewhere; that it should supervise and control all American representatives abroad; and that it should take the lead in raising foreign policy questions and in seeking to get governmental policy established under the control of the President and with the participation of whatever other agencies may be concerned.

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These conceptions seem to be sound and need no great discussion.

2. Recommendations Affecting the Congress

The Report recommends that legislation which grants new foreign affairs powers of an executive nature otherwise than to the President or to an established executive department or agency (we assume under the President's control) will normally cause serious difficulty in efficient administration and such legislation should not be adopted unless there are overwhelming advantages in creating a new agency. This, we believe, is a sound recommendation and is in accordance with Commission policy.

The second recommendation is that effective administration is not achieved by establishing by legislation the precise function and membership of coordinating and advisory bodies within the Executive Branch. This recommendation we also believe to be sound and also accords with Commission policy. Coordinating committees in action should be within the control of the President, should be flexible, and should be serviced by staff services of the President.

The third recommendation, also in accord with Commission policy, is that power should not be given to officers below the level of department heads.

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Two other matters may be mentioned here: The Report properly stresses the great importance of close liaison between the State Department and both Houses of Congress and the appropriate committees of both Houses. It points out the importance of making available to members of Congress as much information, and as full information, as is possible on problems which are arising and being considered. Both the Secretary and Under Secretary must carry on a good deal of this liaison, but the Report recommends that an officer of assistant secretarial rank be given the sole duty of congressional liaison and that this officer should participate in policy formulation so that he may know, and be recognized as knowing, all that is going on. We agree with this recommendation.

The Report mentions, but passes as beyond its field, the important bearing upon the conduct of foreign policy of the constitutional requirement for a two-thirds majority of the Senate for ratification of treaties. The importance of this provision is two-fold. First, in what the Report calls the "pre-natal" effect of it upon possible action. By this it means that many possibly desirable steps are never taken because of the certainty that, while a majority of the Senate or the Congress might support them, the necessary two-thirds of the Senate might not be obtainable. The second important effect is that the existence of the rule has led to some action being taken by executive agreement and some by legislative action authorizing executive agreement. The result of this is often to introduce an extraneous element into the debate. This element is whether or not the type of action taken is the proper one. This discussion often has important results in the final outcome.

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While the Commission may conclude that this matter is beyond its duty and power, it may wish to devote a short time to discussing it.

3. Recommendations Affecting the Presidency

These recommendations are in short that the President should establish high level Cabinet committees, some on an ad hoc basis, others on a permanent basis, to deal with various aspects of foreign affairs; that he should have staff services to provide a secretariat for these committees; and that he should have the authority to provide similar services for lower grade committees if he so chooses; and should terminate those which are not performing useful functions.

The central idea is that the coordination of inter-departmental consideration of foreign policy is one of the highest presidential functions; that the President should not be confronted with inter-departmental agreements and asked to approve or disapprove them, but through his staff he should participate in reaching the conclusions. The staffs are to have no substantive powers, but merely secretarial and informative ones. The National Security Council and the National Advisory Council, with some reorganization, are to form a nucleus for carrying out these recommendations.

The Commission might well discuss this phase of the Report fully. The Report seems to us vague on this subject. It speaks of a "single executive secretary", through whom the President might work. When one considers the work now being carried out by the National Security Council, National Advisory Council, the National Security Resources Board, the Committee on Foreign Economic Policy, and some others, it is not clear that this could be done.

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4. Recommendations Affecting the State Department

(a) Broad Recommendations Affecting its Functions. Here the Report recommends that the State Department should concentrate on the task of obtaining definition of proposed objectives for the United States in its foreign affairs, formulating proposed policies in conjunction with other departments and agencies to achieve those objectives, and of recommending the choice and timing of the use of various instruments to carry out foreign policies so formulated. The State Department should consult with other departments and agencies for the purpose of assisting them to administer their respective powers and functions in carrying out foreign policy so as to achieve a consistent whole and obtain desired objectives. As a general rule, the Report adds, the State Department should not be responsible for the operation of programs such as foreign assistance or propaganda except where the considerations for the imposition of such responsibility are overwhelming. Finally, the State Department should limit itself to the foregoing and to its traditional representation, reporting, and negotiating responsibilities.

As a general statement, these recommendations are sound and in accordance with the general activities of the Department over the years. However, the difficulty comes in applying them at particular times and to particular operations. Such matters as the conduct of economic warfare during the war, the liquidation of property abroad after the war, and the operation of The Voice of America do not always yield to general patterns.

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The question comes up specifically now in connection with the recommendation of the Task Force that the activities in regard to The Voice of America, to the maintenance of library and other information activities abroad, and to the exchange of students be transferred out of the Department. This would be desirable and we think that the State Department would be in favor of the transfer provided that a suitable location could be established. The Report says: "as to the foreign information program, with no existing agency suitable for taking on such a program, a government corporation would seem to offer the best organizational means, especially as it could be kept more responsive to State Department guidance."

This matter was elaborately discussed in the spring of 1947. Three general solutions were suggested. One was a government corporation directed by a part-time board of directors, who would appoint the manager. This was unsatisfactory because such a board would be subject to no control, and its activities in the field of foreign broadcasting could involve the United States in incredible trouble in infinitesimal time. The second proposal was a government corporation with an advisory board and with a manager appointed by the President and reporting to the President. This was unsatisfactory because it put a most difficult and dangerous operation on the White House steps and made the President personally responsible for it. A third suggested solution was to turn the whole matter over to a private operation. The broadcasting companies themselves vetoed this suggestion, as they were quite unwilling to assume the responsibility; and the recent episode involving an employee of one of the broadcasting companies who undertook to characterize the various

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states in a broadcast to South America has confirmed their attitude. So the problem remains that the State Department continues the operation because there is no satisfactory place to put it.

The Commission should give this recommendation very careful thought.

The report also recommends that the operations of the Department in the field of education should be taken over by the Federal Security Agency. This recommendation should be considered carefully, as we doubt whether that Agency has sufficient equipment or experience to carry on work in this broad cultural field.

(b) Recommendations Regarding Departmental Organization. The recommendations here are for the most part in accord with the plan already under consideration by the Department of State. There are a few divergencies, in some of which we think the Department's plan is better. There are one or two instances in which we believe that both proposals are subject to considerable doubt.

The purpose of the reorganization is to simplify the structure, make lines of authority clear, separate staff work from action work and relieve the Secretary and Under Secretary of the burden of the mass of detail which now comes to them, often by reason of the very organization of the Department itself. These objectives are good, and broadly speaking the plan is well devised to achieve them, so far as organization can do so. The points mentioned below are those which seem to require Commission consideration.

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(1) Top Administration. The Report and the Department's own proposals put in the office of the Under Secretary two Deputy Under Secretaries - one for administration and one for matters of substance.

This proposal, although unique to the State Department, we approve because of the necessity that the Secretary be absent from Washington for long periods. The Under Secretary needs special assistance in this Department since he cannot for at least half the time do double duty.

We pause to note that in other reports this Commission has referred to someone of the rank of assistant secretary who should head up the administrative activities of the Department. This divergence may cause some confusion with other reports. However, we recommend that the Commission give it favorable consideration on account of the somewhat special and peculiar difficulties of administration in the Department of State, arising out of both the added burdens upon the Under Secretary and the split, now existing, between the Foreign Service administration and the departmental administration. The officer who rectifies these pending problems will need considerable rank and authority.

In its further discussion of administration the Task Force, on pages 35-36, makes a recommendation with which we do not agree. The gist of it is that the Deputy Under Secretary for Administration and his staff shall deal with over-all matters of policy, management, and personnel, whereas the four regional divisions shall each have units which

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will do the actual administration for their own organization, personnel, budget, and other managerial and housekeeping duties, as well as being responsible for coordinating administration in the field. This, we believe, will render the Deputy Under Secretary's work quite impossible. If he is to accomplish anything, he must have full control. Otherwise he will never be able to ascertain the facts upon which policies and standards must be devised, and he can never see that over-all decisions are actually carried out on a uniform basis.

In order to make this recommendation acceptable it should provide specifically that the geographical operating divisions shall perform only such administrative duties as the Deputy Under Secretary delegates to them.

(2) Operating Line Units. After providing for staff services to the Secretary, to which we shall return in a moment, the Task Force recommends four line operating units organized on a geographic basis. It recommends that the functional operations, such as economic affairs, tele-communications, etc., shall be handled on an operating basis through these four units.

We make several observations regarding this recommendation:

First, as an organizational device alone it will not solve the problems of the State Department. While we concur in the recommendation, which is also that of the State Department, we point out, as did the State Department, that it will succeed only with two fundamental premises.

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One is that there occur an amalgamation of the two services within the Department - the Foreign Service and the Department service. The other is that new blood is infused into the Department and that we do not merely raise the grade of the present officers in charge of the geographic units.

Second, we believe that there should not be merely four line units but that there should be six. One of these additional units has already been mentioned, which is the unit under the Assistant Secretary in Charge of International Information and Education Exchange. If these functions cannot be placed outside of the Department, they are line operations which require the supervision of an Assistant Secretary.

There should also be, as the Department of State recommends, an Assistant Secretary in charge of the work with international organization affairs. The dealings of the State Department with the United Nations and its affiliated organizations are extensive, complicated, and of the greatest importance. They involve the participation of the Secretary himself, other high officers of the Department, often the Chairmen of congressional committees, and distinguished private citizens. They cannot be dealt with on a geographical basis. They require the full time of an Assistant Secretary and a substantial staff. This Assistant Secretary, while participating in the formation of policy, should not be an additional agent in this field. He should, so far as possible, get his policy from the Planning Staff, the particular geographic divisions involved in particular problems, and from other staff officers of the Secretary.

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(3) Staff Services. We agree with the recommendations of the Task Force in this field, with the following exceptions.

The Task Force recommends a staff unit under the guidance of an Assistant Secretary for Multilateral Affairs. His duties are described on pages 49-51 of the Report as reviewing the obligations of the United States under international commitments and the funds devoted to this purpose. We believe this recommendation confuses two things.

One is the line operation of the Assistant Secretary we have recommended above in charge of international organization affairs, and the other is a staff operation under an Assistant Secretary dealing with policy matters which both transcend geographical units and call for the cooperation of other agencies of the Government. These affairs are chiefly economic and social. This division should be advisory to the Secretary and the line divisions and not an operating unit. It should be charged with departmental liaison in these fields and with the task of seeing that the various geographical units are informed of what is progressing in other areas in economic and social fields so that their actions may be coordinated. It is important, if administrative efficiency is to be achieved, that this unit should be advisory, should be informed of action taken and should call to the attention of the proper officers inconsistency in action taken or proposed. But the unit should not be an operating one and should not delay action pending its concurrence in what is proposed.

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(4) Research and Intelligence. Both the Task Force and the proposed reorganization put forward by the Department of State make a recommendation in this field which we regard as a compromise, which we believe to be undesirable and which should be accepted, if at all, only if no workable alternative is possible.

The compromise is that there should be a staff unit, under a special assistant, which should have a small force. This force should coordinate intelligence and research work carried on by the geographical units and at the same time perform the functions of the State Department in dealing with the Central Intelligence Agency providing intelligence and receiving it, as well as furnishing State Department views as to the conduct of intelligence work. The remainder of the considerable staff it is recommended should be disbursed in units, which should remain intact, to the various geographical divisions.

The practical reason which is put forward for this recommendation is that the existing intelligence division, taken over from the Office of Strategic Services, has never been accepted by the geographical units and is not used. It is believed that the only way to get it used is to divide it up and attach it to the various geographical units.

We believe that this alternative should be accepted only if it is concluded that there is no other way to get the officers of the geographical units to accept modern intelligence work. We believe that to divide the force will both sacrifice much of its utility, since intelligence cannot be segregated in water-tight compartments, and will also impair the effectiveness of the State Department's dealings with other agencies represented in the Central Intelligence Agency.

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This is a matter which has been the subject of much controversy and deserves careful Commission consideration.

(5) The Visa Division. The Task Force recommends that the Visa Division, except for diplomatic visas should be transferred to the Department of Justice, since it performs important functions in administering in the field the immigration laws, which are under the general control of the Attorney General. It is also pointed out that much of the information upon which visas are granted and reviewed comes from the Department of Justice.

We believe that the State Department would be glad to get rid of this responsibility but that the recommendation is worthy of careful consideration because of possible problems which may arise between the Department of Justice and the Department of State.

The actual work in the field is done by the United States consuls. Under the law they are given general instructions as to the amount and state of quota rulings and as to the interpretation of other provisions of the law, etc. However, under the law the application of these rules to a particular case, always provided that a quota is not exhausted, depends upon the action of the consul. The Department of State has been reluctant to instruct consuls as to how to exercise their discretion, although pressure is frequently applied to them, especially in these days when many quotas are vastly oversubscribed. Problems may arise when officers of one Department, acting under general law, might be receiving specific instructions from another Department.

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(6) Occupied Areas. At the present time there is a special line organization under an Assistant Secretary of State charged with handling the State Department interest in occupied areas. Under the proposed plans of reorganization, both of the Task Force and of the Department, this operating division disappears, and the occupied area work would fall under the geographical division in which the occupied area lay.

The reports do not seem to discuss at any length some of the problems which may arise. While it is true that problems in Europe and in the Far East are different, it is also true that the State Department must in both cases deal with the National Defense Establishment; and confusion may arise if two different divisions are engaged in this work. It may be that the proposals made are the best available, but the matter is worthy of Commission thought.

(7) Amalgamation of Personnel. One of the most difficult problems in the State Department is the existence of two services - a Foreign Service and the Departmental Service. The Foreign Service has the superior prestige, superior pay, and holds most of the important offices in the Department. Its members also have by far the more difficult lives. There are few places in the world, outside of this country in which an American family would voluntarily choose to live. Foreign Service Officers and their families must live in a vast variety of countries, in the great majority of which the conditions of life are uncomfortable, highly unsatisfactory for the upbringing of children, and often dangerous from the point of view of disease and violence. It is important that the morale of this Service should be maintained.

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The Task Force Report recommends that the two services be put together. This would mean, not only that the Departmental Service would acquire the benefits of the Foreign Service, but that also its members would be forced to share its hardships. The departmental recommendations, while obviously intended to look in this direction are more cautious. They content themselves in the first instance with putting the administration of the two services together.

We believe that the bolder step is probably the better, but that it must be both recommended and carried out with the greatest understanding and tact and with every assurance to the Foreign Service that the position of its members is not going to be impaired by consideration of political or personal favoritism, in regard to which they, due to their long absences abroad, are in much less favorable position than their colleagues in Washington.

(8) Recruitment and Promotion. The Commission's Report might stress a little more strongly than does the Task Force Report the necessity for improvement in the techniques of recruitment and promotion. The Appendices to the Task Force Report deal with the matter at some length, but one has to read between the lines of the Task Force Report itself to see that it is saying that the recruitment and promotion policies of the Department have been more defensive than positive, more calculated to prevent favoritism and error than to select ability and reward positive achievement. It is not easy to suggest a remedy, but the statement of the desirability of moving in a more positive direction might be helpful.

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(9) Greater Authority in the Field. We believe that the Report might advantageously stress the desirability of giving greater authority to the missions abroad, both in regard to substantive action and in regard to administration. These matters cannot be legislated, but should be a matter of secretarial policy and, of course, depend upon the capacity of the various chiefs of mission. It is true, however, at the present time that officers in Washington tend to ride the field missions with much too tight a rein and with much too meticulous guidance, and that even petty matters of administration have to be referred to Washington.

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